

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NATHAN JEROME ELLIS,

Plaintiff,

No. CIV S-03-1938 LKK CMK P

vs.

MIKE KNOWLES, et al.,

Defendants.

ORDER

Plaintiff brings this civil rights action pursuant to 42 U.S.C. § 1983. This proceeding was referred to the undersigned by Local Rule 72-302 by the authority of 28 U.S.C. § 636(b)(1). Currently pending before the court is plaintiff's motion for a default judgement against defendant O'Connor.

A review of the docket reveals that on May 28, 2004, defendant O'Connor responded to plaintiff's complaint by filing a motion to dismiss on the grounds that plaintiff had failed to state a claim. On May 31, 2005, the court granted the motion to dismiss as to defendant O'Connor. Defendant O'Connor is no longer a party to this lawsuit.


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1 Accordingly, IT IS ORDERED THAT plaintiff's motion for default judgement
2 against defendant O'Connor is denied.

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4 DATED: January 6, 2006.

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7 **CRAIG M. KELLISON**
8 UNITED STATES MAGISTRATE JUDGE
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